

ROBINS, KAPLAN, MILLER & CIRESI LLP

601 LEXINGTON AVENUE
SUITE 3400
NEW YORK, NY 10022-4611
TEL: 212-980-7400 FAX: 212-980-7499
www.rkmc.com

ATTORNEYS AT LAW

DAVID LEICHTMAN
212-980-7401

December 3, 2014

VIA ECF

Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
40 Foley Square, Room 2201
New York, NY 10007

Re: Wallert v. Atlán, et al. 14-Civ. 4099

Dear Judge Engelmayer:

Our firm is in the process of being engaged in the above referenced matter by named defendant Independiente Ltd., (the “company”). Our potential client, which is located in the United Kingdom, received a copy of the complaint on November 17, 2014 by DHL and appears to have had no prior knowledge of the lawsuit. Given the allegations of the complaint relate to activities from many years ago, the company is investigating the facts and we are investigating the possible defenses of the company.

We understand that there was a prior order of the Court that requires responses to the Second Amended Complaint to be filed by December 8, 2014. Since the company had no prior notice, is a foreign company with no U.S. offices, and time is needed to properly investigate and respond to the claims, and given the holiday, we reached out to counsel for the Plaintiff who consented to a thirty day extension until January 8, 2015 for Independiente Ltd. to respond to the Second Amended Complaint. Among other things, such an extension may obviate the need for motion practice.

Since the response date was set by the Court, counsel for Plaintiff advised we should send this letter request rather than simply entering into a stipulation, and therefore we respectfully request that defendant Independiente Ltd. be given until January 8, 2015 to answer or otherwise respond to the Second Amended Complaint.

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We are available at the Court's convenience in the event there are any questions regarding this application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'David Leichtman', with a long horizontal flourish extending to the right.

David Leichtman

cc: Dennis H. Cavanaugh, Esq.
D H Cavanaugh Associates
555 Fifth Avenue, 17th Floor
New York, New York 10017

Nadine Y. From, Esq.
From Law PLLC
175 Varick Street
New York, New York 10014